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## SENATE RESOLUTION

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REQUESTING THE OFFICE OF PLANNING TO ESTABLISH AN AGRICULTURAL HOUSING TASK FORCE TO STUDY EXISTING COUNTY AND STATE LAWS, RULES, AND PROCESSES TO PLAN FOR THE CONSTRUCTION OF ON-FARM EMPLOYEE HOUSING WITHIN THE STATE AGRICULTURAL DISTRICT.

1 WHEREAS, the State has the duty to conserve and protect  
2 agricultural lands, promote diversified agriculture, increase  
3 agricultural self-sufficiency, and assure the availability of  
4 agriculturally suitable lands; and  
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6 WHEREAS, the State has made sustainability and self-  
7 sufficiency in agriculture and local food production a priority;  
8 and  
9

10 WHEREAS, economically safe, sanitary, and affordable  
11 on-farm employee housing is critical for working farms to  
12 attract and retain long-term and short-term farm workers; and  
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14 WHEREAS, existing laws governing construction of such  
15 on-farm employee housing are multi-layered and vary across the  
16 State; and  
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18 WHEREAS, many of the laws and rules governing construction  
19 of traditional residential housing units are ill-suited for the  
20 demands and economic realities of working farms; and  
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22 WHEREAS, these existing laws, rules, and processes preclude  
23 farms from providing safe, sanitary, and affordable on-farm  
24 employee housing to attract and retain farm workers, and stand  
25 as an obstacle to the State's agricultural self-sufficiency; and  
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27 WHEREAS, the Legislature supports the intent of the  
28 existing laws to prevent use of agricultural lands for primarily  
29 residential use or creation of "gentlemen estates" or "fake  
30 farms", and recognizes that supporting housing for actual farm



1 workers on farms producing commercial agricultural products must  
2 be tailored for that purpose; now, therefore,

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4 BE IT RESOLVED by the Senate of the Thirtieth Legislature  
5 of the State of Hawaii, Regular Session of 2019, that the Office  
6 of Planning is requested to establish an agricultural housing  
7 task force to analyze and provide recommendations that would  
8 support existing laws, rules, and processes to plan for the  
9 construction of safe, sanitary, and affordable on-farm employee  
10 housing within the state agricultural district limited to farms  
11 that are engaged in agricultural production; and

12  
13 BE IT FURTHER RESOLVED that the agricultural housing task  
14 force is requested to have the following objectives:

- 15  
16 (1) Study existing county and state laws, rules, and  
17 processes for the construction of employee housing on  
18 working farms within the state agricultural district  
19 across the State;  
20  
21 (2) Identify existing barriers in laws, rules, and  
22 processes that prohibit the construction of safe,  
23 sanitary, and affordable on-farm employee housing for  
24 farmworkers, including mobile units for temporary and  
25 seasonal farmworkers;  
26  
27 (3) Give special consideration to modular, portable, and  
28 temporary employee housing, which can be removed in  
29 the event a farm ceases commercial production, as a  
30 solution;  
31  
32 (4) Create a separate legal designation, as it relates to  
33 such housing without a permanent foundation;  
34  
35 (5) Make recommendations for changes to existing state and  
36 county laws, rules, and processes as necessary; and  
37  
38 (6) Propose one master use application process, as well as  
39 laws and rules that can be applied consistently  
40 throughout the State, to issue a discretionary permit  
41 for the construction of safe, sanitary, and affordable  
42 on-farm employee housing for farmworkers on active



1 commercial farms, including permit conditions intended  
2 to promote agricultural production and restrict  
3 residential uses that are not serving primary  
4 commercial agricultural purposes; and  
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6 BE IT FURTHER RESOLVED that the agricultural housing task  
7 force is requested to consist of the following:  
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- 9 (1) The Director of the Office of Planning or the  
10 Director's designee, who is requested to serve as  
11 chairperson;  
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- 13 (2) The Chairperson of the Board of Agriculture or the  
14 Chairperson's designee;  
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- 16 (3) The Deputy Director of the Department of Health's  
17 Environmental Health Administration or the Deputy  
18 Director's designee;  
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- 20 (4) The Chairperson of the Land Use Commission or the  
21 Chairperson's designee;  
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- 23 (5) One representative member from each of the several  
24 counties' zoning and planning departments;  
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- 26 (6) Two representative members from an agricultural or  
27 farming association, to be selected by the Director of  
28 the Office of Planning; and  
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- 30 (7) One representative member from a public interest  
31 organization with a focus on housing issues, to be  
32 selected by the Director of the Office of Planning;  
33 and  
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35 BE IT FURTHER RESOLVED that the agricultural housing task  
36 force is requested to:  
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- 38 (1) Submit a preliminary report of its findings and  
39 recommendations, including any proposed legislation,  
40 to the Legislature no later than twenty days prior to  
41 the convening of the Regular Session of 2021,  
42 including a discussion of the task force's objectives;



(2) Prepare and submit to the Legislature a draft guide explaining the existing process for, and the laws and rules relating to, approval of employee housing in the state agricultural district across the State, including county and local ordinances that pertain to each locality for the public's understanding and benefit, no later than twenty days prior to the convening of the Regular Session of 2022; and

(3) Submit a final report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025; and

BE IT FURTHER RESOLVED that the Office of Planning is requested to provide administrative and clerical support to the agricultural housing task force; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Director of the Office of Planning; Chairperson of the Board of Agriculture; Deputy Director of the Department of Health's Environmental Health Administration; Chairperson of the Land Use Commission; and mayors of the several counties.

